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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date

May 25, 2004

Rodney E. Smith and Colin Victor Hall Our Docket:

SMTT 321A

Serial No.

10/680,718

Group Art Unit:

Filed

October 6, 2003

Examiner

For

FISH PROTECTIVE WATER EXTRACTION METHOD AND

APPARATUS

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98</u>

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) one page of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on May 25, 2004.

George Painter

Respectfully submitted,

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Atty. Docket No. Serial No. 10/680,718 SMTT-321A (81960-2C) Applicant(s) Rodney E. Smith, et al. Filing Date October 6, 2003 Group

U.S. PATENT DOCUMENTS

		1012122				
RAI	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
AA	3,757,953	9/1973	Sky-Eagle, Jr.	210	242.1	
AB	3,764,015	10/1973	Rolfson	210	242.1	
AC	3,860,518	1/1975	Henricksen	210	242.1	
AD	3,962,876	6/1976	Phillips	61	21	-
AE	4,518,495	5/1985	Harding	210	242.1	
AF	4,891,128	1/1990	Goronszy	210	121	
AG	4,973,405	11/1990	Kozey	210	242.1	
AH	5,020,940	6/1991	Smith	405	63	
AI	5,081,582	1/1992	Araki et al.	405	60	
AJ	5,472,597	12/1995	Carro	210	122	
AK	5,491,922	2/1996	Sanders	405	63	
AL	5,820,751	10/1998	Faircloth, Jr.	210	122	
AM	6,224,753	5/2001	Marbach	210	122	
	AA AB AC AD AE AF AG AH AI AJ AK AL	DOCUMENT NUMBER AA 3,757,953 AB 3,764,015 AC 3,860,518 AD 3,962,876 AE 4,518,495 AF 4,891,128 AG 4,973,405 AH 5,020,940 AI 5,081,582 AJ 5,472,597 AK 5,491,922 AL 5,820,751	DOCUMENT NUMBER AA 3,757,953 AB 3,764,015 AC 3,860,518 AD 3,962,876 AE 4,518,495 AF 4,891,128 AG 4,973,405 AH 5,020,940 AH 5,020,940 AI 5,081,582 AJ 5,472,597 AK 5,491,922 AL 5,820,751 DATE DATE DATE DATE DATE DATE PAGE 10/1973 4/1975 AC 1/1975 AF 4,891,128 1/1990 AI 5,020,940 AI 5,081,582 AJ 5,472,597 AK 5,491,922 AL 5,820,751 10/1998	DOCUMENT NUMBER DATE NAME AA 3,757,953 P/1973 Sky-Eagle, Jr. AB 3,764,015 AC 3,860,518 AD 3,962,876 AD 3,962,876 AE 4,518,495 AF 4,891,128 AF 4,891,128 AG 4,973,405 AH 5,020,940 AI 5,081,582 AJ 5,472,597 AK 5,491,922 AL 5,820,751 DATE NAME NAM	DOCUMENT NUMBER DATE NAME CLASS AA 3,757,953 9/1973 Sky-Eagle, Jr. 210 AB 3,764,015 10/1973 Rolfson 210 AC 3,860,518 1/1975 Henricksen 210 AD 3,962,876 6/1976 Phillips 61 AE 4,518,495 5/1985 Harding 210 AF 4,891,128 1/1990 Goronszy 210 AG 4,973,405 11/1990 Kozey 210 AH 5,020,940 6/1991 Smith 405 AI 5,081,582 1/1992 Araki et al. 405 AJ 5,472,597 12/1995 Carro 210 AK 5,491,922 2/1996 Sanders 405 AL 5,820,751 10/1998 Faircloth, Jr. 210	DOCUMENT NUMBER DATE NAME CLASS SUB CLASS AA 3,757,953 9/1973 Sky-Eagle, Jr. 210 242.1 AB 3,764,015 10/1973 Rolfson 210 242.1 AC 3,860,518 1/1975 Henricksen 210 242.1 AD 3,962,876 6/1976 Phillips 61 21 AE 4,518,495 5/1985 Harding 210 242.1 AF 4,891,128 1/1990 Goronszy 210 121 AG 4,973,405 11/1990 Kozey 210 242.1 AH 5,020,940 6/1991 Smith 405 63 AI 5,081,582 1/1992 Araki et al. 405 60 AJ 5,472,597 12/1995 Carro 210 122 AK 5,491,922 2/1996 Sanders 405 63 AL 5,820,751 10/1998 Faircloth, Jr. 210 122

FOREIGN PATENT DOCUMENTS

		DATE	COUNTRY		SUB CLASS	TRANSLATION	
DOCUMENT NUMBER	CUMENT NUMBER			CLASS		YES	NO

OTHER ART (including Author, Title, Date, Pertinent Pages, Etc.)

	AN	PCT International Application No. PCT/US98/11488, filed June 9, 1998, "Flow Inducer Fish Guide and Method of Using Same", Truebe, Jonathan Paul; Truebe, Eric Paul; International Publication No. WO 98/56241, International Publication Date Dec. 17, 1998 (with search report).
EXAMINI	ER	DATE CONSIDERED

*EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-A820 (also form PTO-1449)

P09C/REV03

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